

ANALYSIS

This ordinance amends Title 11 – Health and Safety of the Los Angeles County Code to add Chapter 11.07 providing authority for the County to conduct a threat assessment for certain public events with an expected daily attendance level in excess of 10,000 on County owned property or in the unincorporated areas of the County in order to enhance health and safety measures at these events.

MARY C. WICKHAM
County Counsel

By



ROSEMARIE BELDA
Principal Deputy County Counsel
Labor & Employment Division

RB:vu

ORDINANCE NO. 2016-0015

An ordinance adding Chapter 11.07 to Title 11 – Health and Safety of the Los Angeles County Code, relating to the authority to conduct a threat assessment for certain public events with an expected daily attendance level in excess of 10,000 in order to enhance health and safety measures at these events.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 11.07 is hereby added to read as follows:

Chapter 11.07

Public Events With Daily Attendance of Over 10,000 Participants

Sections:

11.07.010 Findings

11.07.020 Definitions

11.07.030 Public Events – Threat Assessment

11.07.040 Exemptions

11.07.050 Severability

11.07.010 Findings

A. The Board of Supervisors finds as follows:

1. Large scale events can pose a variety of health and safety risks to the attendees of these events;
2. These events can drain critical resources such as law enforcement, fire, emergency medical response and emergency room services;

3. Threat assessments should be conducted in order to minimize these risks;

4. Where the threat assessment leads to a determination that there is a strong probability that loss of life or harm to attendees can occur, then an event action plan shall be required in order to minimize the strong probability of loss of life or harm through adequate health and safety planning to reduce the risk associated with the event; and

5. Annual fairs controlled by the Food and Agricultural Code and certain other large scale events held in venues such as theaters with assigned seats should be excluded from this process as they do not tend to pose the kinds of health and safety risks this ordinance is intended to address.

11.07.020 Definitions

A. "County property" includes real property owned, leased, subleased, or otherwise assigned by the County, or real property subject to the use and control of the County. It includes real property of the County in the possession of a public or private entity under contract with the County. By way of example, it includes all public buildings and the surrounding grounds owned or leased by the County in the unincorporated and incorporated portions of the County, such as the Los Angeles County Fairgrounds in the City of Pomona, the Whittier Narrows Recreation Area in South El Monte, and Grand Park in the City of Los Angeles.

B. "Assessment team" shall include a team comprised of one or more representatives appointed by their respective directors from the following Departments:

Fire, Sheriff, Health Services Emergency Medical Services, and Public Health.

Representatives from other County departments, offices or local jurisdictions may be added as the need arises or to assess a particular event.

C. "Event Action Plan" means a plan developed for an event that imposes measures intended to minimize any strong probability of loss of life or harm.

D. "Promoter" means the individual, association, corporation, partnership, or other organization that arranges, holds, organizes, or otherwise conducts the event. In no circumstance shall the County be considered a promoter.

11.07.030 Public Events – Threat Assessment

A. A threat assessment shall be conducted by the assessment team for any event (or a scheduled series of similar events) held on County property or in the unincorporated area of the County with an expected daily attendance level of over 10,000 participants. This threat assessment shall be initiated by written request of the promoter no later than 120 days prior to the scheduled date of the proposed event, unless another time frame is agreed to by the assessment team, and shall be completed by the assessment team no later than 10 business days after submission of the promoter's written request, unless the assessment team requires additional time to assess the event. The purpose of the threat assessment is to assess the threat of a strong probability of loss of life or harm to participants that the event may pose. The assessment shall include, but not be limited to, the following topics:

1. Prior events held by the promoter;
2. Prior events held at the facility;

3. Similar types of events in general;
4. The anticipated size of the event;
5. The potential need for law enforcement;
6. The potential need for onsite medical care;
7. The potential for drug use and distribution;
8. The potential need for restrictions as to age of attendees, alcohol use, hours of the event, capping attendance, etc.; and

9. The potential to drain critical resources such as law enforcement, fire, emergency medical response, and emergency room services in the region.

B. If the assessment team determines that, based on the facts presented to it in the assessment, there is a strong probability that loss of life or harm to the participants could occur, then the assessment team shall require the promoter to participate in the preparation of an event action plan, which shall be submitted at least 60 days prior to the scheduled date of the event unless a different time period is agreed to by the assessment team. The assessment team shall either approve, conditionally approve, disapprove, or request revisions to the event action plan within 15 days of the date it is submitted by the promoter. The promoter shall not hold the event until the assessment team approves the final event action plan. The event action plan shall address all of the following:

1. Health and safety concerns, including, but not limited to, attendance capacity, fire safety protections, alcohol sales, signage, adequacy of ventilation, and emergency ingress and egress, of the event space, and whether the

promoter should: (a) provide free water and other cooling amenities, such as shade structures, air conditioning, and misters; (b) prohibit any person under 18 or 21 years of age from attending the event; (c) prohibit alcohol sales; (d) limit the size of the event; and (e) prepare and implement a medical action plan that provides for onsite medical care, availability of private medical transport, and/or coordination with area hospitals, trauma centers, and emergency medical services providers.

2. Law enforcement concerns, including, but not limited to, requiring a reasonable or enhanced ratio of peace officers or security guards to event attendees, and mechanisms for crowd control which could include limiting attendance, crime prevention, and the prevention of drug use and drug trafficking through the use of measures such as, amnesty boxes, searches and the use of drug sniffing dogs.

3. The potential need for supplying educational pamphlets, or other relevant emergency materials, including, but not limited to, first aid, to help alleviate any risk posed by the event.

C. The promoter shall permit representatives of the assessment team to attend event setup and the event itself to observe compliance with the event action plan.

D. The promoter shall participate with the assessment team in an after action review of the event upon request of the assessment team to assess compliance with, and the effectiveness of, the event action plan. The after action review shall be held within 14 days of the event unless otherwise approved by the assessment team.

E. The assessment team shall develop a summary assessment process for recurring events at the same property where it had previously determined that the recurring events do not present a strong probability that loss of life or harm to participants could occur, and may assess multiple similar events together if requested to do so by the promoter.

F. Notwithstanding subsections A and B, inclusive, if the event is a performance that by its nature places the performers at risk, then the event action plan is not required to address that risk.

G. The County may seek reimbursement from the promoter for the reasonable costs to the County to prepare the threat assessment pursuant to subsection A, review the event action plan pursuant to subsection B, and conduct the after action review pursuant to subsection D.

11.07.040 Exemptions

This Chapter shall not apply to the following types of events:

A. An event that is an annual fair within the network of California fairs, as described in Division 3 (commencing with section 3001) of the Food and Agricultural Code, if the primary purpose of the event is to exhibit or promote the state's agriculture, livestock, or industrial or natural resources through exhibits, vendors, or other educational programming.

B. An event that is held solely within a theater, grandstand, amphitheater, performing arts center or similar facility with a permanent stage or performance space and permanent seating where the majority of attendees are assigned specific seats to observe the performance, regardless of the level of attendance.

11.07.050 Severability

If any provision or clause of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

[CH1107RBCC]

SECTION 2. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Hilda F. Solis

Chair

ATTEST:

Lori Glasgow

Lori Glasgow
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of March 22, 2016 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Hilda Solis
Mark Ridley-Thomas
Sheila Kuehl
Don Knabe
Michael D. Antonovich

Noes

Supervisors None

Effective Date: April 21, 2016

Operative Date:

Lori Glasgow

Lori Glasgow
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to section 25103 of the government code, delivery of this document has been made.

LORI GLASGOW
Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
Deputy



APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By

[Signature]
Lester J. Tolnai
Acting Chief Deputy County Counsel